

Chapter 8.20 REFUSE COLLECTION

Sections:

[8.20.010 Definitions.](#)

[8.20.020 Refuse collection and disposal system—Findings.](#)

[8.20.030 Refuse—Deposit and storage.](#)

[8.20.040 Refuse collection and disposal system—Established.](#)

[8.20.050 Refuse collection and disposal system—Exclusivity.](#)

[8.20.060 Mandatory subscriptions.](#)

[8.20.070 Refuse collection services—Rates—Establishment.](#)

[8.20.080 Refuse collection service —Rate—Basis.](#)

[8.20.090 Refuse collection service—Rates—Payments.](#)

[8.20.100 Refuse collection service—Rates—Liability.](#)

[8.20.110 Refuse collection service—Charges—Delinquencies.](#)

[8.20.120 Refuse collection service—Charges—Delinquencies—Penalties.](#)

[8.20.130 Refuse collection service—Charges—Delinquencies—Liens.](#)

[8.20.140 Franchises or contracts—Authority.](#)

[8.20.150 Franchises or contracts—Right to contract.](#)

[8.20.160 Franchises or contracts—Solid waste landfill facilities.](#)

[8.20.170 Solid waste landfill facilities—Right to close to public.](#)

[8.20.180 Solid waste landfill facilities—Declared closed to public.](#)

[8.20.190 Standard service regulations.](#)

[8.20.200 Refuse collection vehicles—Governing regulations.](#)

[8.20.210 Refuse collection vehicles—Transporting over city streets.](#)

[8.20.220 Administration.](#)

[8.20.230 Settlement of disputes.](#)

[8.20.240 Enforcement.](#)

[8.20.250 Violation—Penalty.](#)

8.20.010 Definitions.

For the purposes of this chapter, unless otherwise apparent from the context, certain words and phrases used in this chapter are defined as follows:

"Approved refuse container" means a commercially manufactured can made of galvanized metal, heavy-duty plastic, pressed fiberboard or other nonbreakable watertight material of at least twenty-six (26) gallons capacity, but not to exceed thirty-five (35) gallons capacity, with a close-fitting, removable

Title 8 - HEALTH AND SAFETY

Chapter 8.20 REFUSE COLLECTION

insect-proof cover and including a cover handle and side handles. An approved refuse container may also include any other container approved by the contractor. Approved refuse containers shall be maintained in such a manner as to be free from rough edges or jagged surfaces which would be likely to cause injuries to persons handling them.

"Bin and bin service" means a heavy-gauged metal box, suitable for mechanical unloading, from one to six cubic yards in capacity, furnished by the refuse collection contractor to service business and commercial establishments.

"Business establishment" means any commercial, professional or industrial use and any multiple-family dwelling housing three or more residential units, where refuse is gathered collectively for all units and/or residents.

"City" means that portion of incorporated territory known as the city, including its disposal area.

"Collection" means the accumulation and disposal of refuse.

"Contractor," "contract agent" or "franchisee" means an agent or employee of the city or any person or the agents or employees thereof, with whom the city shall have duly contracted pursuant to the provisions of this chapter to collect, transport through the streets, alleys and public ways and dispose of garbage, rubbish and refuse produced within the city.

"Disposal area," "dump" or "sanitary landfill" means any site, location, tract, area, building, structure or premises so specifically designed and authorized for refuse disposal.

"Franchise" means any license or permit issued or contract entered into pursuant to the provisions of this chapter to engage in the occupation of collecting, removing and disposing of garbage, rubbish and refuse.

Franchisee. See definition of "contractor" in this section.

"Garbage" is a sub-classification of refuse and means and includes all animal and vegetable kitchen waste, all household waste which has resulted from the preparation of food, all table refuse or offal and every accumulation of animal, vegetable or other matter that attends the preparation, consumption, packing, canning, storage and decay of meats, fish, fowl, vegetables and fruits intended for human and animal consumption.

"Garden refuse" is a sub-classification of refuse and shall include grass, tree or shrub trimmings and other plant materials accumulated as a result of noncommercial gardening and fireplace ashes.

"Health office" or "health officer" means the county department of health and/or its duly authorized representatives.

"Occupant" means and includes every owner, tenant, occupant or person who is in possession of or who is the inhabitant of or has the care or control of any place or premises.

"Owner" means and includes any person, firm, association, partnership, business trust, joint venture, corporation or company having part or full interest in any real property in the city as shown on the most recent records in the office of the county assessor.

"Person" means and includes any individual, firm, corporation, association, public agency or other legal entity.

"Place or premises" means every dwelling house, dwelling unit, apartment house, multiple-dwelling building, trailer or mobilehome park, store, restaurant, rooming house, hotel, motel, office building, department store, manufacturing, processing or assembling shop or plant, warehouse and every other place or premises where any person resides or any business is carried on or conducted within the city.

"Refuse" is a general classification which includes the sub-classifications of garbage, garden refuse and solid waste (also known as rubbish).

Title 8 - HEALTH AND SAFETY

Chapter 8.20 REFUSE COLLECTION

"Refuse collection area or point" means that space and/or place on the premises where refuse is deposited by occupants and where such refuse is stored until it is transferred into or onto a collection vehicle and removed from the premises.

"Residence or residential" means any single building housing from two or fewer families in separate units.

Rubbish. See definition of "solid waste" in this section.

Sanitary Landfill. See definition of "disposal area" in this section.

"Solid waste" means combustible and noncombustible waste materials not included in the term "garbage" and includes paper, pasteboard, magazines, books, rags, rubber, carpets, clothing, boots, shoes, hats, furniture, bedding, bottles, cans, metals, mineral matter, glass, crockery, dirt, dust, packing boxes and cartons, crates, packing materials and all other kinds of rubbish, trash or waste materials which ordinarily accumulate in the operation of a residence or a business.

"Special solid waste" means and includes construction refuse (rocks, debris, concrete or large quantities of earth) resulting from the construction, rehabilitation, remodeling or repair of buildings or other structures; dead animals, manure, sewage waste, wastewater, explosive or radioactive substances and other materials which have been exposed to highly infectious or contagious diseases or other highly dangerous materials; junk, abandoned and partially cannibalized automobiles, trucks, mobilehomes and trailers and their parts and appliances. "Special solid waste" means solid waste to be disposed of under special arrangements.

"Standard service" means curbside collection service provided on a weekly basis to occupants not receiving bin service.

(Prior code § 6-2.01)

8.20.020 Refuse collection and disposal system—Findings.

- A. The council finds that, for the preservation of the public health, safety and welfare, the establishment of a municipal system for the collection and disposal of all refuse is necessary.
- B. The council finds that, for the purpose of maintaining adequate control of a refuse disposal system, the city must retain exclusive rights to the system.
- C. The council finds that the disposal of refuse by individuals on a voluntary basis, throughout California cities, has been unsuccessful. Therefore mandatory subscription to a refuse disposal system is necessary.
- D. The council finds that the periodic collection of refuse from all places and premises in the city benefits all people in the city and that inasmuch as it is necessary that charges be assessed to support the cost of the refuse disposal system, then such charges shall be assessed to all places and premises where refuse is produced or generated to assure the equitable spread of financial liability. This means that all places and premises, regardless of whether the occupant places such refuse for collection in a manner prescribed in this chapter or not and regardless of whether the occupant has any refuse for collection, the cost of removal thereof should be shared by all persons.
- E. The council finds that losses in revenue attributed to "skipped" accounts receivable and increased administrative overhead costs to maintain a system of billing and accounting records on an occupant basis are prohibitive and, because only limited legal collection recourses are available, it is imperative that refuse collection fees become a liability to the owner and be billed and accounted for on that basis.
- F. The council finds that to operate an exclusive refuse disposal system with mandatory subscription to the service, together with providing special arrangements for the disposal of special solid waste, will satisfy the collection and disposal requirements of its citizens. Further, the council finds that the

Title 8 - HEALTH AND SAFETY

Chapter 8.20 REFUSE COLLECTION

satisfaction of those disposal requirements will obviate the need to maintain an "open dump" policy. Further, the council finds that in order to protect the city sanitary landfill capacity, it is in the best interests of the city to close the city dump to the public.

- G. The council finds that the successful operation of a refuse disposal system requires the adoption of supplementary rules and regulations which are binding on both the contractor and patrons of the service to include an appellate process.

(Prior code § 6-2.02)

8.20.030 Refuse—Deposit and storage.

It is unlawful for any person to deposit, store or maintain refuse within the city, except as provided in this chapter.

(Prior code § 6-2.03)

8.20.040 Refuse collection and disposal system—Established.

There is established a refuse collection and disposal system for the city.

(Prior code § 6-2.04)

8.20.050 Refuse collection and disposal system—Exclusivity.

- A. The city and its refuse collection contractor shall have the exclusive right to collect, transport and dispose of refuse in the city and all refuse placed for collection by the city or its refuse collection contractor shall be deemed to be the property thereof, except as otherwise provided in this chapter.
- B. Collectors of refuse originating outside the city may haul such refuse over city streets.
- C. Any person may collect, transport and dispose of refuse during a period in which collection services by the city or its refuse collection contractor are interrupted or delayed due to a labor strike or other circumstances affecting collection services throughout the city provided such persons comply with any and all directives of the city manager.
- D. This chapter shall not apply to the hauling, removal or disposal at a legal point of disposal of grass cuttings, prunings, manure or other trash as a result of gardening or horticulture by any commercial gardener licensed to do business in the city.
- E. Special solid waste may be arranged for removal and disposal between the occupant and the contractor; however, nothing in this section shall be construed as preventing an occupant or owner from disposing of solid waste directly, either personally or by other contract, to any approved sanitary landfill site and in accordance with Sections 8.20.200 and 8.20.210 of this chapter.
- F. No person shall bury refuse at any place within the city without a valid permit or license granted by the council.
- G. No person shall burn garbage at any place within the city.
- H. No person shall burn solid waste at any place within the city, except in conformance with the rules and regulations of the county air pollution control district and the applicable laws of the state.
- I. The provisions of this section shall not be construed as prohibiting the composting of appropriate refuse for composting, which compost is intended for exclusive use on the property on which it is maintained, provided it does not, in the opinion of the health officer, create a public health hazard.

Title 8 - HEALTH AND SAFETY

Chapter 8.20 REFUSE COLLECTION

- J. No person shall transport household refuse to deposit the same in a commercial bin, the container owned by another or a city-owned litter container.
- K. Any person, other than the city or its refuse collection contractor, who collects, transports or disposes of refuse or who pays another to do so, other than as permitted in this chapter, shall be guilty of a misdemeanor.

(Prior code § 6-2.05)

8.20.060 Mandatory subscriptions.

There is established mandatory subscriptions to the refuse disposal system service of the city. Effective July 1, 1980, every person in possession, charge or control of any place or premises in the city in, upon or from which refuse is created, produced or accumulated shall dispose of such refuse through the regular refuse collection service of the city or its authorized collector.

(Prior code § 6-2.06)

8.20.070 Refuse collection services—Rates—Establishment.

The council shall establish by resolution the rates to be charged for the collection and disposal of refuse. Such rates may be established by competitive bidding, negotiation or other means deemed acceptable by the council and may be reviewed annually.

(Prior code § 6-2.07)

8.20.080 Refuse collection service —Rate—Basis.

- A. Despite variations in the amount of refuse produced at residential locations, such deviation does not justify the expense of measuring the quantities at such residential locations and would be greater than any difference in hauling costs per container.
- B. The amount of refuse produced at places of business varies greatly. The most equitable method of charging for collection refuse at such locations is based on the amount of refuse produced or generated, the related basis of the size and number of containers required for the collection of refuse and upon differing schedules and the regularity of collection.

(Prior code § 6-2.08)

8.20.090 Refuse collection service—Rates—Payments.

- A. Each and every household or tenant occupying any dwelling, house or residence and each and every proprietor or each and every store, shop, apartment house, rooming house or factory, shall pay to the city or its authorized agent, the applicable rate as and for garbage and rubbish collection. Such fees are based upon the calls as indicated, irrespective of whether there is any refuse to remove from any premises.
- B. For purposes of this chapter, a dwelling, house, residence or other structure whether it is a store, shop, apartment house, rooming house or factory, shall be considered to be occupied, despite temporary absence therefrom unless electrical services have been discontinued for a period of not less than ninety (90) days.

(Prior code § 6-2.09)

Chapter 8.20 REFUSE COLLECTION

8.20.100 Refuse collection service—Rates—Liability.

All rates and other charges provided for in this chapter shall be charged against the property on which furnished and against the owner of record thereof and shall be deemed delinquent at the same time and in the same manner as the next regular refuse collection bill. No change of ownership or occupation shall in any way affect the application of this section. The owner of the property shall remain liable for the payment of all rates and charges notwithstanding any agreement he or she may have with a tenant, manager or other third party to the contrary.

(Ord. 431 § 1, 1995: prior code § 6-2-10)

8.20.110 Refuse collection service—Charges—Delinquencies.

- A. All charges imposed by this chapter shall be due and payable upon presentation of the bill. The charges for refuse collection service between the time of the commencement of the service and the thirtieth day of the same month or the close of the established billing period shall be added to the next billing period. If the charge remains unpaid thirty (30) days after the billing date, the charge becomes delinquent and the refuse collection service may be discontinued.
- B. At least ten (10) days prior to the discontinuance of the service the city manager or his or her designee shall notify the property owner of record by mail and by personal delivery to the service address that the service will be discontinued. Notwithstanding the cessation of service the owner shall remain obligated for payment of the minimum mandatory rates and charges for refuse collection applicable to the subject property.
- C. When an account becomes delinquent the full amount of both the delinquent and current bill must be paid to avoid discontinuation of the service.

(Ord. 431 § 2, 1995: prior code § 6-2-11)

8.20.120 Refuse collection service—Charges—Delinquencies—Penalties.

A penalty of ten (10) percent of the charge shall be imposed on the first day of the third month following the date such charge was due and payable. In addition, a penalty of two percent per quarter of the basic charge, plus the ten (10) percent, shall be imposed on the first day of the third month following the date such charge was due and payable and on each due date thereafter until there is payment in full of the charge, plus all penalties.

(Prior code § 6-2.12)

8.20.130 Refuse collection service—Charges—Delinquencies—Liens.

- A. The contractor shall be entitled to payment from the owner for any refuse collection services rendered by the contractor. Any fees, rates or charges (collectively "charges") which remain unpaid for refuse collection services rendered by the contractor for a period of sixty (60) days or more after the close of the period for which they are billed may be collected thereafter by the city as provided herein.
- B. At least once each year, or more often as the council or city manager deem appropriate, the city shall prepare or cause to be prepared a report of delinquent charges. Information concerning delinquent accounts shall be provided by the contractor or any other source the city deems reasonably accurate. The report shall include the parcel number of the real property upon which the charges are delinquent, the name or names of the owner of the real property to which the refuse collections services were provided, the street address of the property served, the period of service, and the amounts due including reasonable administrative charges, which administrative charges

Title 8 - HEALTH AND SAFETY

Chapter 8.20 REFUSE COLLECTION

shall be as determined by the franchise agreement between the city and the contractor or, if the franchise agreement does not specify an amount of administrative charges, then by the city manager.

- C. Upon receipt of the report of delinquent charges, the city council, city manager or the city manager's designee shall fix a time, date and place for hearing the report, and any protests or objections thereto. The hearing shall be held before the city council, the city manager or the city manager's designee as soon as is practicable after receipt of the report of delinquent charges. For purposes of this section, the body or individual before which the hearing is conducted shall be referred to as the "hearing body". Notice of the hearing shall be mailed to the owners of the property listed on the report not less than ten (10) days prior to the date of the hearing.
- D. At the hearing, the hearing body shall hear any objections or protests of owners liable to be assessed for delinquent charges and administrative charges. The hearing body may make such revisions or corrections to the report as it deems just. If the hearing body is the city council, then at the conclusion of the hearing and after making any revisions or corrections to the report as it deems just, the city council shall confirm the report by resolution. If the hearing body is an entity or individual other than the city council, then after the hearing body makes any revisions or corrections to the report as it deems just, the report shall be submitted to the city council for approval by resolution at its next regular meeting after the hearing.
- E. The delinquent charges set forth in the report as confirmed shall constitute special assessments against the respective parcels of land and are a lien on the property for the amount of such charges. A certified copy of the confirmed report and resolution shall thereafter be filed with the county auditor for the amounts of the assessments against the respective parcels of land as they appear on the then current assessment roll. The lien created attaches upon recordation, in the office of the county recorder of the county of placer, of a certified copy of the resolution of confirmation. The assessment may be collected at the same time and in the same manner as ordinary county ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure and sale in the case of delinquency as provided for such taxes. All laws applicable to the levy, collection and enforcement of county ad valorem taxes shall be applicable to such assessments, except that if any real property to which such lien would attach has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attaches thereon, prior to the date in which the first installment of such taxes would become delinquent, then the lien which would otherwise be imposed by this section shall not attach to such real property and the delinquent fees, as confirmed, relating to such property shall be transferred to the unsecured roll for collection.
- F. The contractor may charge the city, at the established collection rates, for those owners who are delinquent. Said charges shall cover the period during which the contractor provided collection and disposal services for the delinquent owner as confirmed by the report of delinquent charges and ensuing resolution. The city shall not become liable to pay such charges until the charges have been assessed against the owner and the county has disbursed funds covering said charges.

(Prior code § 6-2.13)

(Ord. No. 517, 5-9-2012)

8.20.140 Franchises or contracts—Authority.

- A. The council may provide for solid waste collection by the granting of an exclusive franchise or contract for such purpose, subject to such terms and conditions as the council deems appropriate.
- B. The franchise or contractor, during the term of the franchise, shall be the sole person permitted to perform solid waste collection within the city.

(Prior code § 6-2.14)

Chapter 8.20 REFUSE COLLECTION

8.20.150 Franchises or contracts—Right to contract.

Notwithstanding any provision of this chapter to the contrary, any owner shall have the right to remove and dispose of or to contract for the removal and disposal of, his or her own refuse as otherwise provided by law, but the exercise of such right shall not release such owner from any obligation imposed by this chapter to pay the city the minimum mandatory rates and charges as set for residential and business establishments respectively.

(Prior code § 6-2.15)

8.20.160 Franchises or contracts—Solid waste landfill facilities.

The council may provide for the operation and use of any city solid waste landfill or transfer station in any franchise or contract; provided, however, such operation shall be in accordance with Chapter 9 of Article I of the county provisions relating to solid waste landfill areas adopted May 8, 1979, on file in the office of the city clerk, which is adopted by reference as though set forth in full in this chapter and the provisions shall take effect at such time as the solid waste landfill areas are so designated and operative.

(Prior code § 6-2.16)

8.20.170 Solid waste landfill facilities—Right to close to public.

The council reserves the right to close the city solid waste landfill facilities and privileges to the general public.

(Prior code § 6-2.17)

8.20.180 Solid waste landfill facilities—Declared closed to public.

Pursuant to the provisions of Section 8.20.170 of this chapter, the council declares that the city solid waste landfill facilities and privileges are closed to the public, except as otherwise provided in this chapter.

(Prior code § 6-2.18)

8.20.190 Standard service regulations.

All fees for such extra services and occupants receiving standard service shall comply with the following regulations as a condition to regular curbside collection:

- A. All residential refuse presented for collection and disposal shall be kept and placed in an approved refuse container (see Section 8.20.010 of this chapter) not to exceed sixty (60) pounds.
- B. All business establishment refuse presented for collection and disposal shall be kept in approved refuse containers in a number not to exceed six or metal bins or roll off containers (debris boxes) of a type approved by the city. The city may require that a bin or roll off container be used, even though the number of cans which would otherwise be used does not exceed six, when necessary to prevent an unhealthy or unsightly condition. All business establishment refuse shall be gathered collectively for all units and/or residents and shall be kept in centralized areas. The location of the centralized refuse containers shall be as determined by the city.
- C. Every owner, occupant, manager or person in control of the premises of any dwelling unit or units or of any place of business or institution within the city where garbage and refuse

Title 8 - HEALTH AND SAFETY

Chapter 8.20 REFUSE COLLECTION

accumulates, shall provide or cause to be provided, a sufficient number of approved refuse containers of adequate size to accommodate all refuse and garbage accumulated on the premises between collection days. The occupant, manager or person in control of the premises shall be primarily responsible for providing and maintaining containers in such condition so as to prevent injury, not attract vermin, rodents or flies or otherwise from becoming a public health matter and upon failure to do so shall comply with the requirements of this section within five days after the receipt of written notice by the health officer or his or her authorized representative to do so. Occupants shall maintain containers, including bin containers obtained from the city's refuse collection contractor, in a reasonably sanitary condition, free from obnoxious odors and from attachments of garbage likely to create breeding grounds for insects or vermin, beyond that incidental to refuse deposited since the previous collection; provided, however, occupants receiving bin service may order bin cleaning services, subject to a reasonable fee, from the city's refuse collection contractor in lieu of cleaning such bin containers themselves.

- D. Except as provided in this section, all solid waste shall be presented for collection not less than once weekly.
- E. Except as provided in subsection F of this section, all containers, except bins and roll off containers, shall be placed within five feet of the edge of pavement or, if there is no pavement, within five feet of the edge of the public or private right-of-way along established routes.
- F. A person who demonstrates to the city that he or she has a permanent physical impairment or disability which makes it difficult or impossible to place containers for collection in the location required by subsection E of this section and that no one occupying the premises is capable of so doing, may place such containers at a location not more than fifty (50) feet from the curb, edge of pavement or right-of-way.
- G. All bins and roll off containers shall be placed in a convenient location, accessible to the loading apparatus used to empty them, as may be directed by the fire marshal.
- H. Where a business establishment has a bin or roll off container which, because of the amount of solid waste generated, does not require weekly service, the bin or roll off container may be presented for collection on any reasonable periodic basis approved by the city or its authorized agent, provided such bin or container does not contain putrescible waste.
- I. All business establishments engaged in the preparation, sale, distribution or storage of perishable food products shall present refuse for collection not less than twice weekly.
- J. Where necessary to prevent an insanitary or unsightly condition, the city may require that a residence or business establishment present refuse for collection more often than once per week.
- K. The schedule for the collection of refuse shall be as determined by the city and refuse shall be presented for collection on the day or days specified.
- L. Except as prohibited by subsection A of this section, cardboard or wood cartons or bags made for refuse disposal purposes may be used as temporary containers; provided, however, they shall be considered as refuse and will not be returned. Any cardboard or wooden carton not specifically used as a temporary container shall be broken down, flattened and disposed of as set forth in subsection M of this section.
- M. Cardboard, paper, magazines, palm fronds, tree limbs, brush, weeds and similar dry materials shall be tied in bundles with a heavy cord or wire strong enough to act as a handle or shall be placed in other acceptable containers. No such bundle shall exceed four feet in length, eighteen (18) inches in thickness or forty (40) pounds in weight.
- N. Large bulky items, such as furniture and household equipment (see "special solid waste" as defined in Section 8.20.010 of this chapter) will not be collected unless broken down and

Title 8 - HEALTH AND SAFETY

Chapter 8.20 REFUSE COLLECTION

packaged to a size and weight easily handled by one person, except upon such days as may be designated by the city for the special collection of large bulky items without charge.

- O. All kitchen waste, ashes, hair clippings, floor sweepings and similar light materials shall be well and securely wrapped to prevent spillage. Hot ashes will not be collected. Free liquids shall be drained from the refuse prior to placement for collection.
- P. No occupant shall allow refuse or empty containers to remain along, at or near any public street, sidewalk or parkway (excluding alleys), except:
 - 1. Between the hours of four p.m. of the day preceding the occupant's weekly collection day and twelve midnight of such collection day;
 - 2. Pursuant to an agreement for collection services between the occupant and the city's refuse collection contractor; or
 - 3. During any period in which regular collection service is interrupted or delayed.
- Q. The following are not approved refuse containers:
 - 1. Oil or grease drums or similar heavy metal containers;
 - 2. Paper grocery bags or bags which are torn or which are not securely closed;
 - 3. Broken or wet cardboard boxes; and
 - 4. Broken wooden boxes or crates or any other container with sharp, rough or jagged edges which may hamper or injure the collector.

(Amended during 2004 codification; prior code § 6-2.19)

8.20.200 Refuse collection vehicles—Governing regulations.

All vehicles used for refuse collection and disposal activities owned by the city, franchisee or contractor to the city and transporters of refuse pursuant to Section 8.20.050(B) through (E) of this chapter shall be under license to the same and shall meet all the requirements of all the laws and ordinances of the state, county and city.

(Prior code § 6-2.20)

8.20.210 Refuse collection vehicles—Transporting over city streets.

No refuse collection vehicle (including transporters of refuse pursuant to Section 8.20.050(B) through (E) of this chapter) shall transport refuse or other waste materials along the streets of the city unless such refuse or other materials are enclosed or otherwise secured so as to prevent the refuse or other waste materials from being blown, dropped, spilled or leaked.

(Prior code § 6-2.21)

8.20.220 Administration.

The city manager shall administer the provisions of this chapter. In carrying out this responsibility, he or she shall have the following powers and duties:

- A. To establish additional rules and regulations consistent with this chapter as may be necessary, reasonable and proper to effect the sanitary, expedient, economical and efficient collection, removal and disposal of garbage, refuse and cuttings;

Title 8 - HEALTH AND SAFETY

Chapter 8.20 REFUSE COLLECTION

- B. To establish the routes, hours and days of collection, to change the same as he or she deems necessary and to give notice of such routes, hours, days and changes as he or she deems advisable;
- C. To determine whether waste material falls within the definition of refuse;
- D. To determine whether the conditions for the receipt of standard service have been satisfied;
- E. To determine whether agreements between occupants and the city's refuse collection contractor for special or additional services are reasonable and consistent; and
- F. To establish regulations pertaining to periods of labor strikes or other circumstances affecting collection services throughout the city.

(Prior code § 6-2.22)

8.20.230 Settlement of disputes.

The city manager or his or her designated representative, shall hear any dispute which may arise between the collectors and patrons of the service over complaints regarding service. Any person aggrieved by a rule or determination of the city manager shall have the right of appeal to the council, who shall retain the authority to confirm, modify or revoke the same.

(Prior code § 6-2.23)

8.20.240 Enforcement.

The chief of police and his or her designated representative are authorized to enforce any provision of this chapter, the violation of which is made an infraction or a misdemeanor or which declares any condition to constitute a public nuisance. The health officer is likewise authorized to enforce any such provisions insofar as they pertain to the protection of the public health and sanitation.

(Prior code § 6-2.24)

8.20.250 Violation—Penalty.

Violations of the provisions of this chapter shall constitute:

- A. In the case of any person allowing the accumulation or maintenance of solid waste in violation hereof and/or of the health, safety and welfare, a public nuisance; and
- B. In all instances, including those specified in subsection A of this section, a misdemeanor, as the same is now or may hereafter be defined by the laws of the state.

(Amended during 2004 codification; prior code § 6-2.25)